

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST. COURT
MIDDLE DIST. OF LA.

2007 DEC 20 P 2:16

ALBEMARLE CORPORATION

VERSUS

GREAT LAKES CHEMICAL
CORPORATION

CIVIL ACTION

BY DEPUTY CLERK

NO. 02-505-A

CONSOLIDATED WITH

ALBEMARLE CORPORATION

VERSUS

GREAT LAKES CHEMICAL
CORPORATION

CIVIL ACTION

NO. 02-506-A

RULING

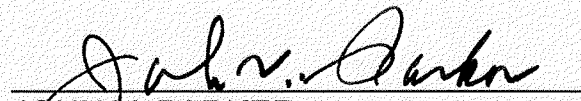
This court has carefully considered the complaints, the record, the law applicable to the action, and the Report and Recommendation of United States Magistrate Judge Docia L. Dalby, dated November 2, 2007 (doc. 562). Both parties have filed objections to the Report and Recommendation (docs. 563, 566), submitted memoranda in support of their objections (docs. 569, 570), and filed responses to the objections (docs. 574, 578). Plaintiff, Albemarle, has requested an opportunity to provide oral argument (doc. 574, p. 10), which the court deems unnecessary, since the magistrate judge provided the parties an opportunity to present oral argument at the *Markman* hearing held in conjunction with this matter on March 9, 2007.

The court hereby approves the Report and Recommendation of the magistrate judge and adopts it as the court's own opinion herein.

CONCLUSION

Accordingly, the definitions for those claim terms in need of construction are hereby adopted as set forth in the Report and Recommendation of Magistrate Judge Docia L. Dalby dated November 2, 2007 (doc. 562). Moreover, the parties are ordered to not refer, directly or indirectly, to each other's claim construction positions in the presence of the jury; to refrain from mentioning any portion of the magistrate judge's report and recommendation, other than the actual definitions adopted by the court, in the presence of the jury; and to limit any reference to claim construction proceedings to informing the jury of the definitions adopted by the court.

Baton Rouge, Louisiana, December 19, 2007.



JOHN W. PARKER
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA